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Attorney Docket No.: 30120/32005
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JENSEN, ET AL.

APPLICATION NO.: 10/747,630

FILED: December 29, 2003

FOR: METHOD AND APPARATUS
FOR USE IN REMOVAL OF
INTERNAL BONES IN A FORE-END

ART UNIT: 3643

EXAMINER: PRICE, R.T.

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) P.O. Box 1450, Alexandria, Virginia 22313-1450
) on October 27, 2004

) Jeremy R. Kriegel
) Jeremy R. Kriegel, Reg. No. 39,257

**Renewed Petition for Acceptance of an Unintentionally Delayed
Claim for Benefit of a Prior-Filed Application Under 35 U.S.C. § 120**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3), and in reply to the Decision on Petition Under 37 CFR 1.78(a)(3) mailed October 18, 2004, Applicants hereby renew their petition to the Commissioner to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of prior-filed International Application No. PCT/DK02/00459, filed July 2, 2002, and which designated the United States of America. The present application, which was filed December 29, 2003, is a Continuation of that international application. The Declaration/Power of Attorney submitted with the application included a claim for benefit under 35 U.S.C. § 120 to the filing date of International Application No. PCT/DK02/00459, filed July 2, 2002, as well as a foreign priority under 35 U.S.C. § 119 to Denmark patent application PA-200101047, filed July 3, 2001. However, Applicants did not amend the application to contain a reference to the prior-filed international application within the later of


four months from the date on which the national stage commenced in the international application or sixteen months from the filing date of the prior-filed Denmark application. In support of this Petition, the undersigned hereby states the following:

- (i) A (Substitute) Second Preliminary Amendment, which includes the reference to the prior-filed international application, identifying the international application by its application number and filing date, and indicating the relationship, by stating in a sentence immediately following the title that “This application is a continuation of PCT/DK02/00459, filed July 2, 2002”, is submitted herewith;
- (ii) A check in the amount of \$1,330.00, for the surcharge set forth in 37 C.F.R. § 1.17(t), was submitted with the original petition mailed on August 12, 2004, which petition is hereby renewed; and
- (iii) The entire delay between the date the claim was due under paragraph 37 C.F.R. § 1.78(a)(2)(ii), which is understood to be April 29, 2004, and today, which is understood to be the date on which the claim was filed, was unintentional.

Based on the foregoing, it is respectfully requested that this renewed petition be granted, the accompanying (Substitute) Second Preliminary Amendment be entered (in lieu of the Second Preliminary Amendment mailed on August 12, 2004), and the Applicants’ claim under 35 U.S.C. 120 for benefit of a prior-filed international application designating the United States of America be accepted. A Supplemental Application Data Sheet, which is the first application data sheet submitted for this application, is also submitted herewith. In the event any additional fees are necessary, kindly charge the cost thereof to our Deposit Account No. 13-2855, under Order No. 30120/32005.

Dated: August 12, 2004

Respectfully submitted,



Jeremy R. Kriegel
Reg. No. 39,257

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) Jeremy R. Kriegel
) Jeremy R. Kriegel, Reg. No. 39,257

(SUBSTITUTE) SECOND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This (Substitute) Second Preliminary Amendment accompanies a Renewed Petition for Acceptance of an Unintentionally Delayed Claim for Benefit of a Prior-Filed Application Under 35 U.S.C. § 120.

Amendments to the Specification begin on page 2 of this Amendment.

The **Remarks** section begins on page 4 of this Amendment.

Amendments to Specification:

On page 1, line 2, please add the following new paragraph as a first sentence immediately following the Title, and the following new headings, as follows:

Reference to Related Applications

This application is a Continuation of PCT Application No. PCT/DK02/00459, filed July 2, 2002, which designated the United States of America. This application further claims priority to Denmark patent application PA-200101047, filed July 3, 2001.

Field of the Disclosure

On page 1, line 7, please insert the following new heading on a new line before the second paragraph:

Background

On page 2, line 16, please insert the following new heading on a new line before the third full paragraph:

Summary

On page 7, please insert the following new heading on a new line before line 1:

Brief Description of the Several Views of the Drawing

On page 7, line 25, please insert the following new heading on a new line before the paragraph beginning on line 26:

Detailed Description

On page 20, on a new line after the last paragraph, please insert the following new paragraph:

What is claimed is:

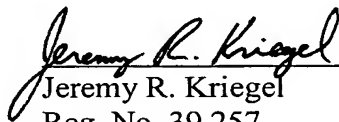
REMARKS

Applicants herein amend the specification to indicate all prior applications to which the present application claims the benefit of the filing date, and to which the present application claims priority. Upon notice of the granting of the accompanying Renewed Petition to Accept the Unintentionally Delayed Claim For Benefit of a Prior-Filed Application Under 35 U.S.C. § 120, Applicants respectfully request a corrected filing receipt indicating the correct information as to entitlement to the benefit of the filing date of International Application No. PCT/DK02/00459, filed July 2, 2002, and the relationship of the present application as a Continuation of that PCT application. Entry of the present (Substitute) Second Preliminary Amendment, which also includes amendments to the specification to include appropriate subject headings, is respectfully solicited.

In the event any fees are necessary in connection with the present Second Preliminary Amendment in addition to the surcharge set forth in 37 C.F.R. § 1.17(t) originally mailed on August 12, 2004, kindly charge the cost thereof to our Deposit Account No. 13-2855, Order No. 30120/32005.

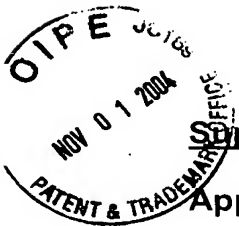
Date: October 27, 2004

Respectfully submitted,



Jeremy R. Kriegel
Reg. No. 39,257

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Chicago, Illinois 60606-6357
Telephone: (312) 474-6300
Facsimile: (312) 474-0448



Supplemental Application Data Sheet

Application Information

Application number:: 10/747,630
Filing Date:: 12/29/03
Application Type:: Regular
Subject Matter:: Utility
Suggested Group Art Unit:: 3643
CD-ROM or CD-R?:: None
Sequence submission?:: None
Computer Readable Form (CRF)?:: No
Title:: METHOD AND APPARATUS FOR USE IN
REMOVAL OF INTERNAL BONES IN A
FORE-END

Attorney Docket Number:: 30120/32005
Request for Early Publication?:: No
Request for Non-Publication?:: No
Total Drawing Sheets:: 12
Small Entity?:: No

Secrecy Order in Parent Appl.?:: No

Applicant Information

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Correspondence Information

Correspondence Customer Number:: 04743

Representative Information

Representative Customer Number:: 04743

Domestic Priority Information

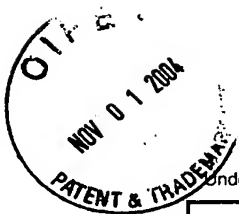
Application::	Continuity Type::	Parent Application::	Parent Filing Date::
<u>This Application</u>	<u>Continuation of</u>	<u>PCT/DK02/00459</u>	<u>07/02/02</u>

Foreign Priority Information

Country::	Application number::	FilingDate::	Priority Claimed::
<u>Denmark</u>	<u>PA-200101047</u>	<u>07/03/01</u>	<u>Yes</u>

Assignee Information

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Country of mailing address:: Denmark
Postal or Zip Code of mailing address:: 4000



Application No. (if known): 10/747,630

Attorney Docket No.: 30120/32005

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on October 27, 2004
Date

Signature

Jeremy R. Kriegel

Typed or printed name of person signing Certificate

39,257
Registration Number, if applicable

(312) 474-9575
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet